

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11627 of 2024

Arising Out of PS. Case No.-282 Year-2023 Thana- MAHNAR District- Vaishali

Dharmendra Ray Son of Ayodhaya Ray Resident of village-Gangajal Ward
No.16, P.S.-Mahnar, Distt.-Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mahnar P.S. Case No.282/2023 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Amendment Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 66 litres of liquor from a motorcycle and a bush as
detailed in the F.I.R. It is next submitted that petitioner was not
arrested from the spot as such nothing was recovered from his
conscious possession and he came to be implicated based on the
fact that he is owner of the seized vehicle. It is next submitted
that no prudent person would use his own vehicle for



committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that the petitioner was completely unaware that Mahesh Paswan would misuse his vehicle in the manner as alleged, who was also arrested from the spot.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No.2-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Mahnar P.S. Case No.282/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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